

LESTER F. KRUPP, JR., )  
 )  
 Plaintiff, )  
 )  
 v. ) No. 4:07CV1918 JCH  
 )  
 CITY OF ST. LOUIS, et al., )  
 )  
 Defendants. )

This matter is before the Court upon the motion of plaintiff for leave to commence this action without payment of the required filing fee. [Doc. #2]

Title 28 U.S.C. § 1915(g) provides that a prisoner may not bring a civil action in forma pauperis if "on 3 or more [earlier] occasions, . . . [the prisoner has] brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury."

Plaintiff may not bring the instant action in forma pauperis pursuant to 28 U.S.C. § 1915. A review of this Court's files indicates that plaintiff has had more than three actions or appeals dismissed as frivolous or for failing to state a claim upon which relief

may be granted. See Krupp v. St. Louis Justice Center, No. 4:07CV912 CEJ (E.D. Mo.); Krupp v. Singer, No. 4:07CV913 TCM (E.D. Mo.); and Krupp v. Stubblefield, No. 4:07CV1862 TIA (E.D. Mo.). Furthermore, a review of the complaint indicates that plaintiff is not under "imminent danger of serious physical injury." Because plaintiff has had three or more previous actions or appeals dismissed as frivolous or for failing to state a claim, he must pay the full \$350 filing fee or this case shall be dismissed. See In re Tyler, 110 F.3d 528 (8th Cir. 1997).

Accordingly,

**IT IS HEREBY ORDERED** that the plaintiff's motion to proceed in forma pauperis [Doc. #2] is **DENIED**.

**IT IS FURTHER ORDERED** that plaintiff shall have thirty (30) days from the date of this order to pay the \$350 filing fee.

**IT IS FURTHER ORDERED** that if plaintiff fails to pay the filing fee within thirty (30) days, the Court will dismiss this action without prejudice. See Rule 41(b) of the Federal Rules of Civil Procedure.

Dated this 31st Day of December, 2007.

/s/ Jean C. Hamilton  
JEAN C. HAMILTON  
UNITED STATES DISTRICT JUDGE